

BOARD OF PAROLE HEARINGS
Consent Calendar – Hearings with Procedural Errors
Monday, October 19, 2015

JOHNSON, LARRY
Sentencing Court:
Alameda

T-33730

Referred by Decision Review

Motion: **Vacate the panel's August 5, 2015, decision and schedule a new hearing in order to comply with the recording requirement found in Penal Code section 3041.5, subdivision (a)(4).**

Motion by: **Roberts**

Second by: **Turner**

Not Present: **Fritz, Zarrinam**

Abstained:

Decision: **Motion approved by a majority of the commissioners present.**

BOARD OF PAROLE HEARINGS
En Banc Decisions
Tuesday, October 20, 2015

CROOK, LYLE
Sentencing Court:
Los Angeles

E-69772

Referred by Chief Counsel

Motion: Refer the June 25, 2015, decision to grant parole for a rescission hearing to consider whether new confidential information demonstrates that Mr. Crook poses an unreasonable risk of danger to the public.

Motion by: **Peck**
Second by: **Garner**
Not Present: **Fritz, Montes, Zarrinam**
Abstained:

Decision: Motion approved by a majority of the commissioners present.

MCELROY, MARVIN
Sentencing Court:
Alameda

C-73869

Referred by Chief Counsel

Motion: Affirm the panel's July 2, 2015, decision to grant parole based on a finding that the new confidential information provided in the memorandum dated June 25, 2015, regarding Mr. McElroy's alleged institutional misconduct is not reliable given the totality of the circumstances in the record and therefore does not demonstrate that he poses an unreasonable risk of danger to the public.

Motion by: **Peck**
Second by: **Montes**
Not Present: **Zarrinam**
Abstained:

Decision: Motion approved by a majority of the commissioners present.

GLASS, DONALD
Sentencing Court:
Santa Clara

K-83800

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Refer for a rescission hearing to consider whether the panel that granted parole on June 5, 2015, committed a fundamental error resulting in an improvident grant based on the concerns cited in the Governor's referral letter dated September 11, 2015.

Motion by: **Richardson**

Second by: **Minor**

Not Present: **Zarrinnam**

Abstained: **Anderson**

Decision: Motion approved by a majority of the commissioners present.

GRABOWSKI, EDWARD
Sentencing Court:
Sacramento

T-15081

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Affirm the panel's June 4, 2015, decision to grant parole based on a finding that Mr. Grabowski no longer poses an unreasonable risk of danger to the public, as articulated in the panel's proposed decision.

Motion by: **Peck**

Second by: **Labahn**

Not Present: **Zarrinnam**

Abstained:

Decision: Motion approved by a majority of the commissioners present.

RUFF, WILLIE
Sentencing Court:
Riverside

C-83049

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Affirm the panel's June 10, 2015, decision to grant parole based on a finding that Mr. Ruff no longer poses an unreasonable risk of danger to the public, as articulated in the panel's proposed decision.

Motion by: **Turner**
Second by: **Anderson**
Not Present: **Zarrinnam**
Abstained:

Decision: Motion approved by a majority of the commissioners present.

SLAYTER, DANIEL
Sentencing Court:
Stanislaus

J-27536

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Affirm the panel's May 27, 2015, decision to grant parole based on a finding that Mr. Slayter no longer poses an unreasonable risk of danger to the public, as articulated in the panel's proposed decision.

Motion by: **Labahn**
Second by: **Roberts**
Not Present: **Zarrinnam**
Abstained:

Decision: Motion not approved by a majority of the commissioners present.

Motion: Refer for a rescission hearing to consider whether the panel that granted parole on May 27, 2015, committed a fundamental error resulting in an improvident grant based on the concerns cited in the Governor's referral letter dated September 18, 2015, and new information regarding the Mr. Slayter's alleged sexual misconduct prior to the commitment offense.

Motion by: **Peck**
Second by: **Garner**
Not Present: **Zarrinnam**
Abstained:

Decision: Motion approved by a majority of the commissioners present.

SMITH, RODNEY
Sentencing Court:
Los Angeles

P-13134

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Affirm the panel's June 11, 2015, decision to grant parole based on a finding that Mr. Smith no longer poses an unreasonable risk of danger to the public, as articulated in the panel's proposed decision, and impose an additional condition of parole that he not operate a motorized vehicle.

Motion by: **Garner**
Second by: **Roberts**
Not Present: **Zarrinam**
Abstained:

Decision: Motion approved by a majority of the commissioners present.

TURNER, RAYMOND
Sentencing Court:
Los Angeles

H-34448

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Refer for a rescission hearing to consider whether the panel that granted parole on June 4, 2015, committed a fundamental error resulting in an improvident grant based on the concerns cited in the Governor's referral letter dated September 18, 2015.

Motion by: **Singh**
Second by: **Garner**
Not Present: **Zarrinam**
Abstained:

Decision: Motion approved by a majority of the commissioners present.

VICKS, MICHAEL
Sentencing Court:
San Diego

C-78619

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Refer for a rescission hearing to consider whether the panel that granted parole on June 3, 2015, committed a fundamental error resulting in an improvident grant based on the concerns cited in the Governor's referral letter dated September 18, 2015.

Motion by: **Garner**
Second by: **Singh**
Not Present: **Zarrinnam**
Abstained:

Decision: Motion approved by a majority of the commissioners present.

BELMONTE, TERRI
Sentencing Court:
San Diego

W-63680

**Governor-Referred pursuant to
Penal Code section 4802**

Motion: Refer Ms. Belmonte's application for pardon to the Governor with a favorable recommendation for consideration by the Supreme Court.

Motion by: **Roberts**
Second by: **Peck**
Not Present: **Zarrinnam**
Abstained:

Decision: Motion approved by a majority of the commissioners present.

ADAMS, MICHAEL
Sentencing Court:
Los Angeles

D-74500

**Tie Vote pursuant to Penal Code
section 3041**

Motion: The Board finds Mr. Adams poses an unreasonable risk of danger to the public and denies parole for one year for the reasons stated by the panel member who voted to deny parole at Mr. Adams' September 9, 2015, hearing.

Motion by: **Peck**
Second by: **Labahn**
Not Present: **Fritz, Zarrinnam**
Abstained:

Decision: Motion approved by a majority of the commissioners present.

JEWELL, DENNIS
Sentencing Court:
San Bernardino

D-46354

**Tie Vote pursuant to Penal Code
section 3041**

Motion: The Board finds that Mr. Jewell no longer poses an unreasonable risk of danger to the public and grants parole for the reasons stated by the panel member who voted to grant parole at Mr. Jewell's September 15, 2015, hearing.

Motion by: **Anderson**
Second by: **Fritz**
Not Present: **Peck, Zarrinnam**
Abstained:

Decision: Motion approved by a majority of the commissioners present.